

is now being emulated for a national tracking system. RFID technology may also help thwart prescription drug counterfeiting, a use the FDA encouraged in a recent report. Leading retailers like Wal-Mart and Target—as well as the Department of Defense—are requiring its use by suppliers for inventory control. Fifty million pets around the world have embedded RFID chips. Of course, many of us already have experience with simpler versions of the technology in “smart tags” at toll booths and “speed passes” at gas stations.

But this is just the beginning. RFID technology is on the brink of widespread applications in manufacturing, distribution, retail, healthcare, safety, security, law enforcement, intellectual property protection and many other areas, including mundane applications like keeping track of personal possessions. Some visionaries imagine, quote, “an internet of objects”—a world in which billions of objects will report their location, identity, and history over wireless connections. Those days of long hunts around the house for lost keys and remote controls might be a frustration of the past.

These all raise exciting possibilities, but they also raise potentially troubling tangents. While it may be a good idea for a retailer to use RFID chips to manage its inventory, we would not want a retailer to put those tags on goods for sale without consumers’ knowledge, without knowing how to deactivate them, and without knowing what information will be collected and how it will be used. While we might want the Pentagon to be able to manage its supplies with RFID tags, we would not want an al Qaeda operative to find out about our resources by simply using a hidden RFID scanner in a war situation.

#### DRAWING LINES

Of course these are just some of the foreseeable possibilities, and a lot depends on enhancements in the technology, reductions in costs, and developments in voluntary standard-setting, systems and infrastructure to manage RFID-collected information. But the RFID train is beginning to leave the station, and now is the right time to begin a national discussion about where, if at all, any lines will be drawn to protect privacy rights.

The need to draw some lines is already becoming clear. Recent reports revealed clandestine tests at a Wal-Mart store where RFID tags were inserted in packages of Max Factor lipsticks, with RFID scanners hidden on nearby shelves. The radio signals triggered nearby surveillance cameras to allow researchers 750 miles away to watch those consumers in action. A similar test occurred with Gillette razors at another Wal-Mart store.

These excesses suggest that Congress may need to step in at some point. When privacy intrusions reach the point of behavior that is absurdly out of bounds, we find ourselves having to deal with such issues as the “Video Voyeurism Prevention Act,” a bill now before Congress that would ban the use of camera to spy in bathrooms and up women’s skirts, a practice that by now has even been given a name, “upskirting,” which I’m sure is as new to you as it is to most of us in Congress.

Other powerful new technologies are on the horizon, like sensor technology and nanotechnology. All the more reason to think about these issues broadly and to establish guiding principles serving the twin goals of fostering useful technologies while keeping them from overtaking our civil liberties.

With RFID technology as with many other surveillance technologies, we need to con-

sider how it will be used, and will it be effective. What information will it gather, and how long will that data be kept? Who will have access to those data banks, and under what checks-and-balances? Will the public have appropriate notice, opportunity to consent and due process in the case mistakes are made? How will the data be secured from theft, negligence and abuse, and how will accuracy be ensured? In what cases should law enforcement agencies be able to use this information, and what safeguards should apply? There should be a general presumption that Americans can know when their personal information is collected, and to see, check and correct any errors.

These are all questions we need to consider, and it is entirely possible that Congress may decide that enacting general parameters would be constructive. It is important that we let RFID technology reach its potential without unnecessary constraints. But it is equally important that we ensure protections against privacy invasions and other abuses. Technology may also help with the answers—for example, “blockers” that deactivate RFID tags, and software that thwarts spyware.

#### BEGINNING A NATIONAL DIALOGUE

There is no downside to a public dialogue about these issues, but there are many dangers in waiting too long to start. We need clear communication about the goals, plans and uses of the technology, so that we can think in advance about the best ways to encourage innovation, while conserving the public’s right to privacy.

We have seen this time and time again where a potentially good approach is hampered because of lack of communication with Congress, the public and lack of adequate consideration for privacy and civil liberties.

Take for example the so-called CAPPS II program. No doubt in a post-9/11 world, we should have an effective airline screening system. But the Administration quietly put this program together, collected passengers’ information without their knowledge and piloted this program without communicating with us and before privacy protections were in place. The result was a recent GAO analysis that showed pervasive problems in the screening program and admissions that we are now set back in our efforts to create an effective screening system.

As another example, the Administration recently funded the MATRIX program to provide law enforcement access to state government and commercial databases. This was potentially a useful crime-fighting tool. But there was insufficient information about the program and about potentially intrusive data mining capabilities, and there were unaddressed concerns about privacy protections. Now 11 out of 16 states participating in the program have pulled out—many, citing privacy concerns—thus hampering the effectiveness of the information sharing program. Again, had some of these issues been vetted in advance, we may have been able to enhance law enforcement intelligence.

Just recently, there were reports about the FBI’s new Strategic Medical Intelligence program, in which doctors have been enlisted to report to the FBI “any suspicious event,” such as an unusual rash or a lost finger. The goal of preventing bio-terrorism is important. But there are many unanswered questions about the program’s privacy protections and its ability to identify truly suspicious events and not unrelated personal medical situations. Hopefully, this program will not be hampered by lack of communication and oversight.

I have written oversight letters to the Justice Department and to the Department of

Homeland Security on all of these issues and am waiting for their responses.

I want to make sure that mistakes like those are not repeated, especially with RFID technology, where there is so much potential value. That is why I asked to speak with you today, to begin the process of encouraging public dialogue in both the commercial and public sectors before the RFID genie is let fully out of its bottle.

This is a dialogue that should cut across the political spectrum, and it should include the possibility of constructive, bipartisan congressional hearings. The earlier we begin this discussion, the greater the prospects for success in reaching consensus on a set of guiding principles.

When several of us from both parties banded together years ago to found the Congressional Internet Caucus, we were united by our appreciation for what the Internet would do for our society. Years later, we remain united, we remain optimistic, and partisanship has never interfered in the Caucus’s work.

That is the spirit in which I hope a discussion can now begin on micro-monitoring.

Thank you for your interest in these cutting-edge issues, and thanks for this opportunity to share some ideas with you.

#### BUDGET SCOREKEEPING REPORT

Mr. NICKLES. Mr. President, I hereby submit to the Senate the budget scorekeeping report prepared by the Congressional Budget Office under Section 308(b) and in aid of Section 311 of the Congressional Budget Act of 1974, as amended. This report meets the requirements for Senate scorekeeping of Section 5 of S. Con. Res. 32, the First Concurrent Resolution on the Budget for 1986.

This report shows the effects of congressional action on the 2004 budget through March 22, 2004. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of the 2004 Concurrent Resolution on the Budget, H. Con. Res. 95, as adjusted.

The estimates show that current level spending is above the budget resolution by \$14.1 billion in budget authority and under the budget resolution by \$222 million in outlays in 2004. Current level for revenues is \$244 million below the budget resolution in 2004.

This is my first report for the second session of the 108th Congress.

I ask unanimous consent that the report be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, March 23, 2004.

Hon. DON NICKLES,  
Chairman, Committee on the Budget,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed tables show the effects of Congressional action on the 2004 budget and are current through March 22, 2004 (the last day that the Senate was in session before the recent recess). This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2004, as adjusted.

This is my first report for the second session of the 108th Congress.

Sincerely,

DOUGLAS HOLTZ-EAKIN,  
*Director.*

Enclosures.

TABLE 1.—SENATE CURRENT-LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2004, AS OF MARCH 22, 2004

[In billions of dollars]			
	Budget resolution	Current level <sup>1</sup>	Current level over under (-) resolution
On-budget:			
Budget Authority .....	1,873.5	1,887.5	14.1
Outlays .....	1,897.0	1,896.8	-0.2
Revenues .....	1,331.0	1,330.8	-0.2
Off-budget:			
Social Security Outlays .....	380.4	380.4	0

TABLE 1.—SENATE CURRENT-LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2004, AS OF MARCH 22, 2004—Continued

[In billions of dollars]			
	Budget resolution	Current level <sup>1</sup>	Current level over under (-) resolution
Social Security Revenues .....	557.8	557.8	*

<sup>1</sup> Current level is the estimated effect on revenue and spending of all legislation that the Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations even if the appropriations have not been made.

Note.—\* = less than \$50 million.

Source: Congressional Budget Office.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT-LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2004, AS OF MARCH 22, 2004

[In millions of dollars]			
	Budget authority	Outlays	Revenues
Enacted in previous sessions:			
Revenues .....	( <sup>3</sup> )	( <sup>3</sup> )	1,330,756
Permanents and other spending legislation <sup>1</sup> .....	1,117,071	1,077,878	( <sup>3</sup> )
Appropriation legislation .....	1,152,537	1,183,200	( <sup>3</sup> )
Offsetting receipts .....	-368,484	-368,484	( <sup>3</sup> )
Total, enacted in previous sessions .....	1,901,124	1,892,594	1,330,756
Enacted this session:			
Authorizing Legislation:			
Surface Transportation Extension Act of 2004 (P.L. 108-202) .....	7,880	0	0
Social Security Protection Act of 2003 (P.L. 108-203) .....	685	685	0
Total, authorizing legislation .....	8,565	685	0
Entitlements and mandates: Difference between enacted levels and budget resolution estimates for appropriated entitlements and other mandatory programs .....	-22,156	3,472	( <sup>3</sup> )
Total Current Level <sup>1 2</sup> .....	1,887,533	1,896,751	1,330,756
Total Budget Resolution .....	1,873,459	1,896,973	1,331,000
Current Level Over Budget Resolution .....	14,074	( <sup>3</sup> )	( <sup>3</sup> )
Current Level Under Budget Resolution .....	( <sup>3</sup> )	222	244

<sup>1</sup> Per section 502 of H. Con. Res. 95, the Concurrent Resolution on the Budget for Fiscal Year 2004, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, the current level excludes \$82,433 million in budget authority and \$36,782 million in outlays from previously enacted bills.

<sup>2</sup> Excludes administrative expenses of the Social Security Administration, which are off-budget.

<sup>3</sup> Not applicable.

Note.—P.L. = Public Law; \* = less than \$500,000.

Source: Congressional Budget Office.

## INTERNATIONAL WOMEN'S DAY

Mr. FEINGOLD. Mr. President, I rise today to commemorate International Women's Day, which is celebrated around the world on March 8. For nearly a century, women's groups worldwide have paused on this day to celebrate the achievements and contributions of women around the globe. This day is also an opportunity to reflect on the challenges that women continue to face in their daily lives.

Despite the progress women have made in many countries, women worldwide continue to confront discrimination, violence and even slavery. In central Africa and, specifically, in the Democratic Republic of the Congo, DRC, sexual violence has increasingly been used as a weapon against women and girls. These horrific acts cannot be tolerated, and those responsible for these atrocities must be held accountable. At the same time, the international community must reach out to help provide medical and psycho-social support to women and girls affected by these horrors, and must work vigorously with civil society and local authorities to prevent these abuses in the future.

Sadly, these violent acts are not isolated instances. Rather, they are indicative of the violence occurring against women in many conflict zones. Experts note that women and girls are most affected by violence, economic instability, and displacement associated

with warfare. At home, in flight or in refugee camps, they are frequently threatened by rape and sexual exploitation. Far too many victims of domestic violence and of human trafficking. In some countries, women fall victim to "honor killings," a deplorable practice whereby women are murdered by male relatives for actions that are perceived to bring dishonor to the family. Other countries tolerate the burning of thousands of brides a year due to insufficient dowries.

While I am pleased that the United States has begun to address the global HIV/AIDS crisis, the pandemic continues to exact a terrible human toll on communities around the world, and in sub-Saharan Africa, it is having a particularly devastating effect on women. As the ranking member of the Senate Foreign Relations Committee's Subcommittee on African Affairs, I have had the opportunity to travel to numerous countries in Africa and see firsthand the devastating toll that HIV/AIDS and other infectious diseases are taking on the people of this continent. According to United Nations reports, over 25 million adults and children in Africa are infected with the HIV virus, the majority of them in sub-Saharan Africa.

Sub-Saharan Africa is the only region in which women are infected with the virus at a higher rate than men. UNAIDS, the United Nations Program on HIV/AIDS, reports that women make up an estimated 58 percent of the

HIV-positive adult population in this region, as compared to 50 percent worldwide. Young women and girls are especially at risk. The United Nations reports that in this region 6 to 11 percent of girls age 15-24 are infected with HIV, whereas infection among boys of the same age group is 3 to 6 percent. International efforts to fight AIDS will not succeed unless we make a sustained and serious effort to address the factors that make women and girls so vulnerable to exposure. This means more than talking about legal rights, and more than talking about economic empowerment. It means that we must take action.

Despite these difficulties for women, encouraging signs of women's progress are also in evidence around the world. In Western and Central Africa, international courts are holding those responsible for crimes against humanity, including the use of rape as a weapon of war, accountable for their actions.

In Mexico, indigenous women, who once lived in the shadows of a deeply patriarchal society, are increasing their influence in local communities. These women are increasingly buying small businesses and owning their own land, taking an aggressive stance against domestic violence and contributing to decision-making in their communities.

In Afghanistan, women are finally back in school. The new Afghan Constitution, approved on January 4, 2004, provides equal rights and duties under